

**NEVADA STATE BOARD OF EDUCATION  
NEVADA STATE BOARD FOR CAREER AND TECHNICAL EDUCATION  
THURSDAY, SEPTEMBER 1, 2016**

**Meeting Locations:**

<b>Office</b>	<b>Address</b>	<b>City</b>	<b>Meeting Room</b>
Department of Education	9890 S. Maryland Pkwy	Las, Vegas	Board Room (2 <sup>nd</sup> Floor)
Department of Education	700 E. Fifth St	Carson City	Board Room

**SUMMARY MINUTES OF THE REGULAR MEETING  
(Video Conferenced)**

**BOARD MEMBERS PRESENT:**

**In Las Vegas:**

Mark Newburn  
Victor Wakefield  
Felicia Ortiz  
Elaine Wynn  
Samantha Molisee  
Pat Hickey  
Tonia Holmes-Sutton

**In Carson City:**

Dave Jensen

**DEPARTMENT STAFF PRESENT:**

**In Las Vegas**

Steve Canavero, Superintendent of Public Instruction  
Kim Bennett, Administrative Assistant

**In Carson City**

Brett Barley, Deputy Superintendent, Student Achievement  
Roger Rahming, Deputy Superintendent, Business and Support Services  
Greg Bortolin, Public Information Officer  
Lauren Hulse, Management Analyst  
Donna Wix, Private & Charter School Education Programs Professional  
Randi Hunewill, Education Programs Professional  
Anne Willard, Education Programs Professional  
Maria Sauter, Education Programs Professional

**Phone Call-In**

Dena Durish, Deputy Superintendent, Educator Effectiveness and Family Engagement

**LEGAL STAFF PRESENT**

**In Carson City**

Greg Ott, Deputy Attorney General

**AUDIENCE IN ATTENDANCE:**

**In Las Vegas:**

Patricia Cooper, Sierra Nevada College  
Orlando Dos Santos, Nevada Virtual Academy

Robert Askey, Touro University  
Tonya Walls, Touro University  
Tiffany Tyler, Communities in Schools  
Carolyn Edwards, Trustee, Clark County School District  
Doris Watson, University of Las Vegas  
Jessica Bouchte, Clark County School District  
Jeff Geihs, Clark County School District  
Betsey Giles, Clark County Education Association  
Kevin L. Child, Clark County School District  
Tod Story, ACLU of Nevada  
Barbara Gnatovich, Sierra Nevada College  
Deanna Wright, Clark County School District Trustee  
David Rago, National University  
Rebekah Holder, City of Las Vegas  
Monte Bay, National University  
Brian Scroggins, State Public Charter School Authority  
Judy Mantle, National University  
Tish Nilsen, National University  
Eshe Hamme, Opportunity 180  
Maryjane Dorofachuke, Nevada Arts Council  
Jenn Blackhurst, HOPE  
Terri Janison, United Way  
Zane Gray, Sierra Nevada College  
Amy Rose, ACLU of Nevada  
Chris Giunchigliani, self  
Kipp Ortenburger, Las Vegas PBS  
Brenda Pearson, Clark County Education Association  
Mark Mutchler, KLAS-TV  
Julie Vigil, HOPE  
Jami Miller, Las Vegas PBS  
Lisa Morris Hibbler, City of Las Vegas  
Brian McAnallen, City of Las Vegas  
Michael Hollis, Las Vegas  
Caryne Shea, HOPE  
Scott Morris  
Spencer Stewart, Western Governor's University  
Sylvia Lazos, Educate Nevada Now  
Jose Solario  
Stephen Augspurger, School Administration  
Ruben Murillo, Nevada State Education Association  
Christina Salinas Grandy, National University  
Nancy Brune, Guinn Center  
Theo Small, Clark County Education Association  
Ninya Beyer, Teach for America  
Lindsey Dalley, CEAB Task Force  
Guillermo Vazquez, Executive Director, Education Support Employees Association  
Chris Garvey, Clark County School District Trustee  
Linda Young, Clark County School District Trustee  
Annette Dawson Owens, Breakfree, CCSD  
Amanda Morgan, Educate Nevada Now  
Virginia Mills, Education Support Employees Association  
David Gomez, Nevada Peace Alliance

**Carson City:**

Kit Kotler, Silver State Charter Schools  
Katrina Midgley, Sierra Nevada College  
Shannon Beets, Sierra Nevada College  
Nancy Franden, Student Learning Objective, Washoe County School District  
Sara Timmons, Student Learning Objective, Washoe County School District  
Cristal Cisneros, Student learning Objective, Washoe County School District  
Julie Waller, Senior Program Analyst, Legislative Council Bureau  
Adam Drost, Program Analyst, Legislative Council Bureau  
Todd Butterworth, Senior Program Analyst, Legislative Council Bureau  
Jaimarie Dagdagan, Legislative Council Bureau  
Nathan Anderson, Washoe Education Association  
Dawn Huckaby, Washoe County School District  
Anna Savala Washoe County School District  
Mike Paul, Washoe County School District  
Brian Evans, The Perkins Company  
Lindsay Anderson, Washoe County School District,  
Bryn Lapenta, Washoe County School District  
Patrick Gavin, State Public Charter School Association

**Call to Order; Roll Call; Pledge of Allegiance**

The meeting was called to order at 9:00 A.M.

**Public Comment #1**

Ray Bacon, Nevada Manufactures Association, informed the Board that he submitted written [comments](#) concerning wider use of the national Career Readiness Certificate (NCRC) and encouraged Board discussion about using the NCRC at a future board meeting.

Shannon Beets, Sierra Nevada College, stated that given the quick turnaround between awarding scholarship dollars and the deadline to submit recipient names, they have trouble building the applicant pool needed and administering the screening process necessary to identify committed and qualified students. Ms. Beets expressed concern that their completion rate was lower than in the past. They had three students on the noncompleter list that finished all their coursework and are waiting for their Praxis results to apply for their ARL license. She also expressed concern about the \$1,000 penalty for all noncompleters, and paying penalties for those students. They had two additional students who are continuing in their Master of Arts in Teaching (MAT) program and still wish to become teachers, but at a slower pace. Ms. Beets encouraged the legislature to consider a neutral position, no \$1,000 bonus and no \$1,000 penalty for students who continue to progress towards teacher certification but fail to complete the ARL program.

Dawn Huckaby, Chief Human Resources Officer, Washoe County School District (WCSD) noted the scholarships have helped build the pipeline of teachers in WCSD. Seven scholarships were not yet awarded, and she is requesting they be allowed to keep those scholarships for the recruitment of more teachers. They are starting a new cohort and these scholarships would help bring new teachers to the profession. They have two special education candidates who are considered non-completers due to pending Praxis results. One has said she will drop the program without the scholarship because she cannot afford the course on her own. Ms. Huckaby asked that these two candidates who have worked so hard and are so close to making a teaching career a reality be considered as completers.

Jeff Geihs, Assistant Chief Student Achievement Officer Turnaround Zone, Clark County School District (CCSD) informed the Board that the CCSD has a self-imposed turnaround process where they identify the lowest performing downward trending schools for a four-year period of intervention. Over the last five years they have worked with 30 schools, ten of which have already exited back to their geographic zone

because of their achievement gains. He is working with Jana Wilcox-Lavin, superintendent in residence, Nevada State Achievement School District, NDE on turn around designation for entry and for exiting turn around status to come to an agreement. Mr. Geihs discussed agreements he make with Ms. Wilcox-Lavin.

Ms. Wilcox-Lavin agreed to not recommend converting to ASD any school currently being treated in the CCSD turnaround zone. They will work in concert to review those schools this year on the state underperforming list and any elementary or middle schools rated in the lowest five percent in CCSD, any high school with less than a 60 percent graduation rate, and schools with a feeder pattern of more than one school that has the lowest possible rating. Mr. Geihs said he will run his process in CCSD exactly as Ms. Wilcox-Lavin will run hers, and they will do it in partnership.

Dena Neal, assemblywoman, commented on R109-15. Section 2 specifies; *a public school is eligible for designation as a turnaround if it is not selected for a conversion of an achievement charter*. She is concerned about the legislative intent and read the minutes from a Senate Committee on Education meeting. The minutes for May 26, 2015, page 9, reflect that Superintendent Erquiaga stated that the achievement district is a measure of last resort. Turnaround gets the first chance and the achievement charter is the last resort. A point of discussion is aligning harbormaster, achievement and turnaround. During the senate hearings for turnaround, S.B. 92 from the 2015 session, there was no discussion of turnaround being aligned with harbormaster nor was there a discussion of achievement charter being aligned with harbormaster. The democrats voted for the harbormaster because it was supposed to be used for existing charters as well as grants and the creation of new charters. She has an issue because it does not fit the legislative intent, there was no record where they agreed or discussed that those pieces should be aligned as a three layer cake.

Michael Hollis, student service, CCSD, said he has been speaking about how CCSD has neglected the special education department for five years. He attended a legislative meeting when in response to questioning from Senator Harris said that Pat Skorkowsky stated he would continue to do what they have been doing. Mr. Hollis remarked if CCSD does that, the needs of kids will not be met. He said he floats from school to school to assist special needs kids and the special education department in CCSD has been neglected at the highest level. Mr. Hollis stated he has been harassed and investigated seven or eight times on the issue because he speaks out. He expressed concern that there are no African American males on the State Board, and that African American history is not an elective in high school.

Amy Rose, legal director, ACLU of Nevada, stated they are pleased to see that the August 19, 2016, R142-16 added protection for civil rights enforcement. However, they have some procedural and substantive concerns:

- The Administrative Procedures Act has specific rules and regulations for how rules and regulations can be adopted. A problem with this regulation is that it has only been available to the public for 12 days. Regulation language is supposed to be available for 30 days for the public to review before any action is taken. She urged not to adopt the regulation today because it possibly denies Nevadan's proper review.
- In addition, they have substantive concerns. One is that the break-up of individual schools could possibly violate Title 7 of the civil rights act by promoting segregation. There are issues that the regulations do not address, who will be in charge of curriculum that is taught to the students, especially related to sex education.

Dr. Brian Myli, director, Leadership Institute, Public Education Foundation commented about section 36 of R142-16, which tasks the Board with determining whether additional credentials and or training is required for local precinct schools, and he offered a partnership with the Leadership Institute of Nevada. Five years ago they developed an innovative executive level leadership academy for principals and other leaders. Over the past five years they have delivered a program that has an innovative curriculum and a national all-star faculty. They would be honored to partner with the Board should it be determined that additional training and/or endorsements are required for principals at local precinct schools.

Kipp Ortenberger, grant writer for southern Nevada television, said he understands that a decision may be made today to allocate unused FY16 funds to FY17 applicants not previously awarded funds. Southern Nevada television in collaboration with the Clark County Education Association (CCEA) is one of the unfunded applicants. Upon further review and communication with the NDE grants office and Dena Durish, deputy superintendent, Educator Effectiveness and Family Engagement, it was determined that based on the original scoring rubric presented during the request for proposals process, that their application was strong and without deficiencies. The decision to not fund their teacher leadership initiative was the result of subjective committee decision making outside the published grant scoring perimeters. He asked the Board, the NDE grant office and any additional committees that formed to allocate additional grant funding to revisit the original grant parameters and scoring rubric originally presented with the application to re-review unfunded applications and score solely against the rubrics then make decisions based on the resulting objective scoring results. Strong grant applications are strong because the program or project being proposed is strong well planned and well positioned to meet its intended objectives and outcomes and make a resounding positive impact on education. In the case of this grant on the leadership of teachers, he requested that any additional funding decisions be made objectively on the merit of the grant applications and the original scoring parameters set forth by the State Board of Education.

### **Approval of Flexible Agenda**

**Member Newburn moved to approve a flexible agenda. Member Holmes-Sutton seconded the motion. The motion carried.**

### **President's Report**

President Wynn announced that Freeman Holbrook tendered his resignation to the Board, and congratulated him on being selected as the vice principal at Galena High School in WCSD. Unfortunately, his advancement means he no longer meets the requirement of a teacher to serve out his appointment on the State Board of Education. Member Holbrook resigned as of yesterday and the Speaker of the House will appoint a replacement.

### **Superintendent's Report**

Dr. Steve Canavero, superintendent of public instruction, provided an update on assessments. The State held its vendor in breach of contract. In dispute is the timing of the individual scoring report or when students receive the actual reports of student progress on the smarter assessment. He explained this has nothing to do with the actual delivery and scoring of the assessment. The results are valid and reliable; this is a matter of when the results are communicated.

The Every Student Succeeds Act (ESSA) workgroups continue to engage and help the (NDE) decide on six state goals embodied in the five year strategic plan. An update was provided on S.B. 508, the bill for additional funding in the form of a multiplier, by the student weighted funding formula. Karl Wilson, education programs professional, was asked to facilitate a discussion with the Zoom EL, Victory and poverty groups to help answer the question, how would stakeholders advise the state should additional funding become available? Will Jensen, director, special education will also have discussions about funding with the special education and the gifted and talented (GATE) community.

An update was provided about the joint meeting with the Board of Regents and the State Board of Education. It is tentatively scheduled for Friday, October 21, 2016. Dr. Canavero explained changes to the NDE website and the board agenda is due to the NDE working to become compliant with provisions of ADA to ensure all online content is accessible to everyone. The NDE has been working with federal groups to ensure documents on the website are compliant with readers so visually impaired people can access the content.

There is a dramatic push for teacher licensing this time of year. Currently, applications received the week of July 18 are being processed. There is a 50 percent shorter wait time this year compared to the same time last year. In the period of January to August, 2016, the NDE processed just short of 10,000

background checks that require manual evaluations prior to the application being sent to the analyst. Due to hiring practices the summer months of May to September are traditionally the busiest with about 25 percent more applications during this time.

### **Approval of Consent Agenda**

- a. NAC 389.672 defines the academic credits a student may earn and the procedures that must be followed by a local school district or a charter school to qualify CTE courses for academic credit. Possible Approval of allowing a pupil to earn the following units necessary for graduation from high school by taking CTE coursework:
  - Two units of credit required in English
  - One unit of credit required in mathematics
  - One unit of credit required in science and
  - One credit required in health
- b. Possible Approval of Private Schools:
  - Approve Re-licensing of 1 Clark County Private School for two year period: Montevista Academy
  - Approve Re-licensing of 4 Washoe County Private Schools for four year periods: Newton Learning Center, Mountain View Montessori, Truckee Meadows School, Sage Ridge
  - Approve Re-licensing of 1 Washoe county Private School for a two year period: Triad School
  - Approve License of 2 new Clark County Private Schools for two-year periods: Nasri Academy for the Gifted & David O. McKay Academy
- c. Possible Approval of a dual credit request with Nevada Virtual Academy Jumpstart Partnership and Western Nevada College Program Course Credit
- d. Possible Approval of July 21, 2016 Minutes

Member Newburn asked about granting English, math and science credit for CTE, and do students need to take a corresponding course, or a CTE course and then taking the End of Course (EOC) exam. Dr. Canavero clarified that member Newburn is referencing the EOC exam that is required for graduation. The state provides information about the exam to the districts, and then the districts offer the list of courses which are aligned to the particular exam.

**Member Newburn moved to approve the Consent Agenda. Member Wakefield seconded the motion. The motion carried.**

**Information and Discussion regarding the two components of the state's approach Underperforming Schools: the Nevada Achievement School District and State Harbor Master Initiative.** Board members will receive a high level overview of the State's approach to underperforming schools that will include feedback from the ESSA School Improvement Work Group, S.B. 92 School Turnaround efforts, the Nevada Achievement School District, and the State Harbor Master initiative. The high level overview will be followed by a more in-depth school selection and alignment with the State Harbor Master.

Brett Barley, deputy director, Student Achievement, highlighted two goals from the presentation. The first is how support for underperforming schools in Nevada aligns with the Governor's initiatives passed in 2015. The second is the process, timeline and the Nevada Achievement School District (ASD) school selection process. A [PowerPoint](#) presentation was conducted.

The ASD was a key part of Governor Sandoval's State of the State Address in 2015 and was part of a larger package of education initiatives passed in 2015. The first step is changing the profile of underperforming schools so they rise to a 3-star level and become sustainable at that level. Then the intent is to accelerate the 3-star school away from intervention and increase the school performance rating.

Deputy Barley explained how through support, interventions and creating conditions for success work together to improve Nevada schools. Three key programs were noted:

- Opportunity 180 – A harbormaster that invests in high quality organizations and public charter school networks that will help transform schools and the community.
- NDE Student and School Supports Team – Provides funding and programs for student and school support (17 programs and funding sources).
- Nevada Achievement District – Selects up to 6 chronically underperforming schools per year for transformation and partners with local education agencies (LEA) to support and advance existing, local intervention efforts.

Allison Serafin, president, Opportunity 180, explained that a harbormaster is designed to create the safe coordination of the work of organizations and leaders. Their vision is to ensure that 25,000 students in CCSD will attend great urban schools by 2025. Currently, about 83,000 kids attend one or two star district or charter public schools in CCSD. Opportunity 180 offers a focused support system, similar to an Economic Development Authority, to identify the best leaders and organizations to serve students in CCSD with the greatest needed. They are focused on organizations and public nonprofit charter schools that want to serve at least 70 percent of kids in poverty, have evidence of success, scale and sustainability to do the work. Opportunity 180 is the only state appointed harbormaster in the country. It is ground breaking in that other states are trying to figure out how they can engage in public/private partnership where philanthropy and state money can work together to create great outcomes for kids. Information was provided about four key priorities:

- Great Schools – Recruit public charter schools to expand their operation to CCSD and provide necessary support so they can collectively offer 25,000 students great urban schools.
- Great Leaders – Great school leaders are essential in developing and launching high-performing schools.
- Affordable Facilities – Working directly with charter school facility experts to identify quality and safe facilities for local public charter schools.
- Community Engagement – The community organizer works closely with community-based organizations to empower parents by providing information about school quality and how to advocate for great schools.

Ms. Serafin said the easiest part is the planning. In response to what questions she would ask herself, she listed: How are you determining the quality of the operator? What are the metrics that are going to matter most before school launches? What are the metrics that matter the most in the first year of a school launching? What are the data points that matter in year two and three? What are the risks we are willing to take to ensure families have great choice? How are you committed to equity? How are you ensuring true open enrollment? How are families going to know about this work? It requires thinking through all these priorities and vetting for quality, due diligence and assurance about progress measurements and outcomes. What keeps her up at night is ensuring the work leads to grade schools existing in neighborhoods and that kids are going to schools that are transforming their lives.

Member Hickey asked how the funding will take place for the development of the schools. Ms. Serafin responded there are three main barriers regarding the Charter Management Organizations (CMOs), revenue or per pupil based on enrollment, what is the talent pathways for leaders and teachers, and the cost of facilities. The biggest barrier is the per pupil revenue. Nevada's per pupil revenue cannot be less than what they get in their current state. Nevada is one of the lowest in the nation and a competitive advantage is lost when competing with other states for the same CMOs. Other states have the same needs

and opportunity gap but they provide more revenue. If the per pupil \$5500 base revenue is not addressed, it is going to be challenging to get the best public CMOs to come to Nevada.

Member Molisee noted there is an emphasis on charter schools, and said she attends Canyon Springs which is a magnate end zone school. She inquired if Opportunity 180 affects the magnate schools. Ms. Serafin responded it does not impact the work happening in magnate schools. It is about great public schools and magnates are part of that. Rather it is about adding more supply of high quality public schools so that families have more choice. For many magnates, there is about a 33 percent chance of getting into a magnate school. She believes they must fulfill the promise of every family having access to a great public school, district or charter school and she wants to be a part of creating more supply so that families and students have more choice.

Maria Sauter, Education Programs Professional continued with the presentation and provided details about two charts that represents the alignment of the performance of schools according to a set of criteria and then prioritizing the NDE support and resources aligned to the school's needs. When a school has a history of being chronically underperforming, then now there is the ability to look to the ASD for additional solutions.

Member Wakefield asked who from a school or district initiates the application to become part of the turnaround. Ms. Sauter responded it is multi-level. The principal, school board or district can request or they can be assigned through the NDE offering multiple pathways. Member Wakefield asked if a school precinct can apply for turnaround. Deputy Barley responded this is a complimentary component to the work in CCSD; both efforts are focused on school site autonomy. The turnaround law, S.B. 92, would provide school sites with additional staffing flexibility. It provides another avenue to deliver support because the role that NDE, the district or the superintendent could play in identifying school sites for additional flexibilities. Member Wakefield asked if a school principal could apply, but be held back by their local board seeing the application through. Ms. Sauter clarified that S.B. 92 Turnaround, is solely under the discretion of the NDE.

Ms. Wilcox-Lavin, superintendent in residence, Nevada Achievement School, introduced Rebecca Fieden, deputy director, Nevada Achievement School District who is serving to help support and operationalize the work of the ASD. Ms. Wilcox-Lavin said it is important to realize that for a Nevada where all kids are ready for a global 21<sup>st</sup> Century there must be coordination to raise the performance of the lowest performing schools. The work must be brought together local, state, and rural and do the work in coordination. She emphasized it is important to coordinate and partner with the local districts with work that is occurring on the ground and in the field. It is also important to partner with families, parents and community members for success. Ms. Wilcox-Lavin listed the following broad opportunities to engage with the underperforming schools.

- October 1 - A list of underperforming schools will be published by the NDE.
- October 31 – The ASD will recommend at least 20 percent of eligible schools for transformation to the Board.
- Within 30 days of recommendation – The Board approves at least 50 percent of recommended schools.
- By January 15 – The ASD selects up to six of the approved schools for transformation and pairs them with operators.
- Fall 2017 – Schools open.

Ms. Fieden discussed the school selection process that will be used to narrow the eligible school lists to a selection of up to six schools for 2016. It is important that the ASD focus on the schools that are the

farthest behind and the chronically underperforming schools are those being targeted. Families deserve information about the change to decide how they want to participate in the process. School performance and community participation is important. She further discussed the selection process. Ms. Wilcox-Lavin said it is important to note the suite of strategies and engagements developed locally and at the state level to change the trajectory of Nevada schools.

Ms. Wilcox-Lavin informed that there are currently 74 schools on the underperforming school list and they have the opportunity to recommend 15 or more of those schools. President Wynn asked to clarify if they would be taking on six out of the 74 schools that have been identified as needing help. Ms. Wilcox-Lavin concurred. Board member discussion continued with clarifying questions.

President Wynn said a good dialog and primer of the work of the ASD was provided for the Board. There is a firm commitment from leadership and concerns were heard from board members along with what they think is important and want to evolve.

**Information, Discussion and Possible Action regarding the allocation of FY16 grants from the Great Teaching and Leading Fund (GTLF).** Pursuant to NRS 391A.500, any unexpended appropriations made of the GTLF remaining at the end of a fiscal year do not revert to the State General Fund, and the balance in the GTLF must be carried forward to the next fiscal year. Members will hear an update on FY16 funds that were not expended by awardees and possible action may include allocation of these funds to FY17 applicants not previously awarded funds.

Member Wakefield was recused from this item.

Dena Durish, deputy superintendent, Educator Effectiveness and Family Engagement, provided background. The Board previously awarded the FY17 grant application based on the recommendations of review team at the last board meeting. The initial summary and update on the previous year is provided. This is not the grant application discussed at the last meeting. There is under \$4.9 million available every year for these funds. During the first year of the 2015-16 application process there were 38 applications. There was about \$11,000 of additional funds at that time. The Board awarded 15 applicants for a total of \$4,883,000. The 16 applicants were awarded in the categories of science for a little over \$1 million, NEPF for a \$1.3 million, recruitment and retention \$1.4 and leadership development \$946,000.

As 2015-16 was being closed out, the providers were asked to provide a final financial report. This report did not come with measureable outcomes related to student achievement, it is not a program evaluation, but is simply a final financial report. Per statute there is a 120 day report. The end of the fiscal year was June 30, and all programs are currently working to develop the final content for that report. She presented the 2015-16 Great Teaching and [Leading Final Financial](#) reporting. The report includes all 15 applicants; some were duplicates because they were larger providers with separate projects and priorities. The chart shows of the amount awarded and funded by the Board, how much was spent as well as the unexpended amount. The entire fund is required to be expended and some providers asked for an extension. Any money not expended at the end of the fiscal year will go back into the fund, which was \$654,139.65. Five programs expended what they were awarded.

Deputy Durish said she is confident many of the providers that applied for FY17 would still be able to use the unused funds. She requested that the Board allow the NDE to reconvene the review team and take back the \$654,139 and recommend funding to FY applicants not previously awarded funds.

President Wynn inquired whether the groups that did not expend their funds were queried as to why they did not, and rated as a result of their responses. Deputy Durish said they anticipate the full rational and justification to be provided in their 120 day report.

President Wynn added in awarding this money there is accountability to understand how well it is spent and if it is not spent, why, and if it is to be reallocated, what are the conditions for reallocation. When

there is as much as 21-19 percent, there is an indication of issues that should be explored and clarified before more money is given out. She said she would be supportive of increasing awards given to those entities that have done a good job both in budgeting and expending their sources, particularly those who requested money but did not have the full fund addressed.

Member Ortiz asked when will the unused funds come back for reallocation. Deputy Durish responded that last year the allocations were done up-front. Applicants are aware there are no up-front funds for FY17, funding will be on a reimbursement basis. All of the institutions have been notified, most have returned the funds, and a deadline was given as of yesterday.

Nicole Rourke, CCSD, informed the board that since the timing of the funding was just short of a year, they fell short on being able to offer as many classes as they anticipated. There were 104 professional development classes offered in which 1800 teachers participated. They applied to utilize the unexpended funds on additional technology that would enable them to provide additional storage to other school districts through the NEPF tool that was developed, however their request was denied.

**Member Newburn moved to allow the Department of Education to reconvene the review team to reallocate the remaining FY16 funds. Member Ortiz seconded the motion. The motion carried. Member Wakefield abstained from the vote.**

**Information, Discussion and Possible Action regarding Teach Nevada Scholarship Awards pursuant to NRS 391A.580 (SB 511).**

- a. Board members will hear a presentation on the status of FY16 Teach Nevada Scholarship awardees, including the licensure and hiring status of TN Scholarship recipients.**
- b. Board members will receive an update on ARL preparation programs which were allocated preliminary FY17 scholarships. Possible action may include final awarding of FY17 scholarships to programs based on previously identified Board priorities and re-allocation of un-awarded scholarships to other preparation programs.**

Deputy Durish explained this is a report about FY16 Teach Nevada awardees. The initial amount was for 134 scholarships but came back to the Board in May and requested an allocation of up to 142. The Board requested all FY16 recipients are licensed and eligible for hire by August. Although there were traditional longer running programs that applied, it was the Board's decision to grant FY16 funds to alternative route to licensure (ARL) programs. The agreement with the participants and recipients was that they would complete all the necessary requirements during the application period to be ready for hire.

As a result of the scholarships there were 79 teachers that were hired. In additions, 21 applicants finished their requirements, are pending hire and all should have offers within a few weeks. There are 42 candidates that did not complete, and did not qualify for the ARL license in August. Thirteen people are pending the praxis exam but would still be eligible for hire this fall. Statute specifies that if a person does not complete the program, then the institution will refund the balance of what was not paid for that student and either the amount they paid out to the student or a \$1000 non-completer fee. She requested that the 13 students waiting for Praxis have more flexibility and extra time to finish. As students complete the program, they will be awarded \$1000. There is a \$1000 penalty to not complete and \$1000 award to complete.

Member Wakefield asked to clarify if some of the teachers would be in the system without the scholarships? Ms. Durish responded that without doing a survey of the students, she does not know the answer. An explanation was given why some of the students dropped. Three students of the 12 non-completers are waiting for Praxis scores, and another three non-completers are in the regular certification program because they could not keep up with the pace of the ARL. They are still pursuing licensure. The

other six dropped out for personal reasons. There are three who could have been screened better because they did not have the commitment.

Deputy Durish posed questions to consider allowing the opportunity to extend the definition of completers to those 13 candidates allowing additional time to demonstrate their commitment to the program. The question for the Board to consider is whether to offer another round of FY17 applications. If the answer is yes, should the priority areas identified for FY17 be considered and should it continue to be ARL or open it to the traditional program, which is a longer timeline.

President Wynn stated she has confidence in the NDE and that as they are unfolding this program to make recommendations to the Board gives flexibility in the program to account for and accommodate some of these variances. Rather than coming back to the Board to make adjustments each time, she asked the Superintendent for his comments.

Dr. Canavero responded his recommendations would be to extend the deadline, and to transition those un-awarded allocations to FY17, and then apply the same rules established for FY17 to administer the FY16 carry forward funds. Member Holmes-Sutton suggested a mix of ARL and traditional licenses.

**Member Newburn moved to approve the recommendation from the NDE to extend the FY16 fall 2016 completers and use FY16 un-awarded scholarship funds for another round of FY17 applications, and apply the FY17 applications to traditional and ARL candidates. Member Holmes-Sutton seconded the motion. The motion carried.**

Deputy Durish presented a chart with FY17 funds showing the amount awarded to applicants and the amount of scholarships approved by the Board. This group had a quick turnaround. Clark and Humboldt County are two providers that used all their funds and awarded all their scholarships. There were a total of 35 scholarships that would not meet the requirement by December which is yielding \$785,400 remaining funds. The request is to award Clark County \$144,000 for an additional eight scholarships on a waiting list. Western Governors University (WGU) miscalculated the cost for each of their ARL students. They were awarded 11 scholarships at \$12,000 and they are asking to bump it up to 17. The other questions include if the Board would like to open another round of applications, and if so is it married with the FY16 funds and ARL or traditional.

Member Jensen said Humboldt had a request for one additional scholarship, and he did not hear Deputy Durish mention that request. Deputy Durish noted his request.

Dr. Canavero stated the NDE recommendation is to support the allocation of 2016-17 Teach Nevada Scholarships to provide another round of applications given the FY17 funds that have been unallocated with deference to entities that have an existing waitlist, and to consider the application process that would include ARL and traditional candidates.

Member Ortiz asked if there was any representation from the counties that had a number of un-awarded scholarships that could explain why.

Dawn Huckaby, chief human resource officer, WCSD said they have seven scholarships that they are returning and they are continuing to build their cohort of ARL candidates. They have more candidates now and she is confident that they could utilize all seven scholarships, including the two that were close.

Doris Watson, associate dean, academic and professional programs, College of Education, said they were awarded 36 scholarships. They put a review process in place and received approximately 28 applications, 16 of those were awarded as a function of the review process to ensure they have high quality candidates that would complete the program. If they had a reallocation of the money they could make good use of it.

Spencer Stewart, chancellor, WGU, stated for the second round of ARL awards they were allotted 14 scholarships and filled 11. This was a quick turnaround. Also, all of the providers learned something from round one, and that is the type of student that will succeed in this program. Their philosophy is to have a license that could be accepted in all 50 states. They experienced a disconnect with incoming applicants and the content areas they were coming to them with. As a result, they provide self-paced instruction; many of their applications require an extra semester to receive their standard license. They need to recalculate what it takes to educate each of the scholarship awardees.

President Wynn directed the NDE to revisit the series of guidelines that are used and bring them back to the Board for approval. That should provide more flexibility with timelines and variances. Deputy Durish informed the Board there is a regulation in process, R031-16, which will come to the Board for a public hearing. That would codify some of the process.

**Member Ortiz moved to utilize the un-awarded scholarship funds in FY17 to allocate new scholarships in FY17 with deference or priority given to entities on a waiting list, and award with a mix of both traditional and ARL candidates. Member Holmes-Sutton seconded the motion. The motion carried.**

**Public Hearing and Possible Adoption of Proposed Amendments to R065-15, NAC Chapter 387, relating to the calculation and reporting of enrollment and attendance. The proposed amendments repeal the language in NAC 387.280, as monthly enrollment and attendance reports are no longer necessary for fiscal reporting or school funding purposes. In addition, the proposed amendments revise language in NAC 387.345 to clarify that basic support is based upon average daily enrollment instead of the previous single count day, as required in Senate Bill 508 (Chapter 536, Statutes of Nevada 2015)**

The hearing opened at 1:00 P.M. There were 55 individuals present in Las Vegas and 18 individuals present in Carson City.

Roger Rahming, deputy superintendent, Business and Support Services, stated proposed language changes NAC 387.345 from the use of a single count day to an average daily enrollment for the calculation of basic support to be consistent with NRS 387.123. The change in language is aligned with the current practice of paying the average daily enrollment. Suggestions offered by WCSD align the changes related to enrollment counts with programs of distance education. He asked the Board to consider adopting these proposed changes. This aligns language within NAC and current practice.

There was no public comment.

**Member Newburn moved to approve the proposed regulations with the changes recommended from WCSD for R065-15. Member Ortiz seconded the motion. The motion carried.**

The hearing was closed at 1:09 P.M.

**Public Hearing and Possible Adoption of Proposed Regulation R109-15, amending NAC Chapter 385 to provide a means of designating turnaround schools and other matters properly related thereto.**

The hearing was opened at 1:10 P.M. There were 55 individuals present in Las Vegas and 18 individuals present in Carson City.

Deputy Barley informed the Board that NRS 388G.400 requires that the Board establish criteria for designating an underperforming school as a turnaround school. The regulation describes the criteria which makes an underperforming school eligible for designation. The considerations from the NDE would analyze to designate a school as a turnaround school. The regulation also outlines the process related to determining if the principal of the school eligible for designation as a turnaround school can provide the

leadership necessary to form and execute a plan to improve student achievement. The regulation provides that a public school is eligible for designation as a turnaround school under two conditions. The first designation is that the public school is eligible for conversion to an achievement charter school and is not selected for conversion through the ASD process. Or, the board of trustees of the school district in which the public school is located, the superintendent of the school district in which the public school is located, or the principal of that public school, has requested the NDE to consider designating that particular school as a turnaround school.

Section 3 of the language authorizes the NDE to require a third party or the school district to evaluate the ability of the principal of the school eligible for designation as a turnaround school to provide the leadership necessary to form and execute a plan to improve student achievement and school performance. The NDE may designate a school as a turnaround school if it determines as a result of that evaluation that the principal has the ability to provide leadership with or without professional development.

Board members asked clarifying questions.

### **Public Comment for R109-15**

Patrick Gavin, director, State Public Charter School Authority, pointed out a potential ambiguity in the language of the regulation as worded. The language consistently uses the term a *public school*. Both NAC 386.020 and NRS 388.020 specifically define a charter school as a type of public school. It is the Board's purview should they decide to ensure charter schools are eligible for turnaround. He expressed concern that subsection 2b, effectively nullifies the authority and discretion of the governing body of the charter school by placing the decision making for this in either the school district where the school is located, the superintendent of the school district, or the principal who is an employee of the governing body of that entity. He suggested either definition be clear that public school does not mean charter school in this case. One could argue that it is intended by section 2a, where it describes eligibility for conversion to an achievement charter as one of the elements. Or that it makes explicit that in the case of a charter school it is the governing body which has purview to make that request of the NDE.

Dr. Canavero responded that charter schools are not subject to turnaround status.

Jeff Geihs, assistant chief, CCSD, said from the CCSD perspective, they agree with almost everything in the proposed changes for this regulation. They asked consideration for a public school being eligible for conversion to an ASD school only after being first considered for state turnaround and receiving district support for no less than four years. He articulated earlier today that the CCSD school districts turnaround zone is self-imposed for a four year process. Schools are identified that are downward trending, low achieving, then take them in for four years for a period of treatment and have statistically significant data to show the process works. He added they also have financial incentives as this regulation calls for, including in Victory, turnaround and ZOOM schools as well as in other structures throughout their system for teachers. Those financial incentives have worked to help recruit teachers in some of the lowest performing schools. Mr. Geihs said they support the regulation and asked to consider this one change, that schools and districts have an opportunity to be considered for state turnaround before ASD.

Dr. Canavero responded this regulation is specific to the turnaround regulations and is not related to the ASD selection. Earlier they heard about district interventions and supports that are working, but that those are not a provision in this regulation.

Member Wakefield noted the comment they just heard is appropriate for practice and for a different regulation, but is not a consideration for this regulation hearing.

Dr. Canavero said this regulation is in direct relation to S.B. 92 and identifying turnaround schools. It sounded like a logic chain of decisions that may fall under the ASD selection criteria, not for turnaround. He said they would work with CCSD as with all districts related to ASD so this process is a coordinated strategy to change opportunities for kids in partnership with districts.

Jose Solario asked if the funding in S.B. 92 will follow the student. This is a critical issue for the inner city schools. When looking at the current practice of averaging cost they are spending more money for schools versus other schools. Mr. Solario clarified that in this regulation a school is classified as turnaround. In what instance will the funding follow the student or follow the current practice of average unit cost?

Dr. Canavero said the funding is not addressed in the regulation, but it is addressed S.B. 92 where there are provisions once the principal makes a determination of what is necessary, we want to protect a school site from having any reduction in funding. There is a provision in the bill that would maintain the existing funding at the school site. There is also a provision for a school site to seek to obtain any available money from the NDE or request additional assistance from the board of trustees to execute the plan.

**Member Newburn moved to adopt the proposed amendments in R109-15. Member Holmes-Sutton seconded the motion. The motion carried.**

The hearing was closed at 1:35 P.M.

**Public Hearing and Possible Adoption of Proposed Regulation R142-16, to Chapter 388G NAC, relating to education; deeming each school within the Clark County School District a local school precinct; prescribing responsibilities relating to funding and operation of each local school precinct; prescribing the duties of a school associate superintendent; providing for the establishment of an organizational team and a plan of operation for each local school precinct; requiring the Superintendent of the Clark County School District to cause the administration of certain surveys and prepare a report; and providing other matters properly relating thereto.**

The public hearing was opened at 1:35 P.M. There were 55 individuals present in Las Vegas and 18 individuals present in Carson City.

President Wynn stated that in view of the extraordinary importance of this item, she prepared remarks to set the stage for discussion and possible action:

*In 2015 the Governor and the Legislature expended significant effort to reform and invest in the public education system throughout the State. A reorganization of the CCSD was part of that agenda. The Governor referenced the need in his state-of-the-state address. His administration supported A.B. 394 and supports the plan and the regulations that are submitted today. The legislation referred to and empowered a bipartisan legislative Advisory Committee, with the advice of a Technical Advisory Committee to Develop a Plan to Reorganize the Clark County School District. That plan and associated recommendations have been developed through a lengthy process including over 20 public meetings and has been unanimously approved by the Advisory Committee. The Advisory Committee took an additional step and unanimously passed draft regulations that capture the spirit and intent of the plan, and those regulations are presented today to the State Board for action.*

*The role of the State Board is to adopt regulations that are necessary and appropriate to carry out the plan, which must then be approved by the Legislative Commission. The Board's role is not to develop or approve the actual plan. That work is complete, but rather to approve the initial regulatory framework for carrying it out. This the first step in a process that will likely require additional fine tuning once we experience and evaluate how it is being implemented. We therefore want to take care that we are reviewing the draft regulations against the approved plan. The Board is not presenting their own plan. Today is not the day to rehash the many conversations already had throughout the past month in public meetings, nor to try and stop the plan from going forward. Ample*

*opportunity was provided to do that over the course of many months. Today we want to hear about the fine details of how regulations need to be phrased in order to most accurately implement the plan.*

*President Wynn acknowledged this effort has been a remarkable demonstration of democracy in action. Democracy is messy, starting with the leadership with our Governor and various governing entities, all compromised of elected officials, people who are representing the citizens of Nevada, especially CCSD and its municipalities along with parents, business representatives, social service agencies, leaders and others. All have come together in good faith to work tirelessly on a tough problem to address an ongoing disappointment with annual dismal test results which indicate poor academic performance by our children. We are acknowledging that this is not the children's fault. It is the grown-ups fault. This is not to suggest that the recent reforms that are currently taking hold have not shown promise of better results, nor are we intending or undervaluing anyone who is truly dedicated to the mission, but also feels frustrated. The community is expressing a desire to take more responsibility and ownership of its schools. They want to try something else.*

*President Wynn reported that the only entity that seems to be resistant and in the 11<sup>th</sup> hour and has offered strong objections are the members of the Clark County School Board. It is particularly disappointing because they were welcome and vital partners in the process, but they elected not to fully engage. Their objections could have been addressed in a timely fashion, and many were, had they been sincere participants. Their recently offered litany of objections will be covered in the context of this presentation along with most importantly any legal issues that have been raised. It is hoped that at the end of this, consensus can be forged. The Board will have the opportunity to monitor progress of the plans implemented. We want to pay special attention to the following topics in the months ahead, much of which we have heard about today, and that will reinforce our desire to focus on these points. How prepared are principals for this task? What impact can the Board have on professional development and licensing that will assist carrying out the plan? Are the statutes, policies and programs the NDE is charged with administering being carried out in the new structure? This includes programs like ZOOM, Victory and Read by Grade 3. What are the implications of course for the accountability system? What the implications and opportunities for weighted student funding?*

*We will be mindful in the months ahead of any future changes in regulation that may be necessary to accommodate the feedback that we get from the field as they implement this work. It is the hope and intention to take a vote today including any technical amendments the Board may offer so that the regulations can be submitted to the Legislative Commission on a timeframe requested by the chairman of the advisory committee, Senator Michael Roberson. The senator and his staff are here today and will describe the plan and walk everyone through the regulations.*

Dr. Canavero requested that Deputy Attorney Ott answer any questions and provide details about the Board's authority related to this public hearing. Deputy Attorney Ott addressed questions raised this morning about the posting and whether it invalidates the hearing. He referenced the statute mentioned this morning, NRS 233b.060, related to the adoption of regulations. That provision is about making sure that the public has adequate notice of what is going to be acted on. He informed the Board there were two postings, language developed by LCB in July that was posted 30 days in advance of this hearing allowing the Board to take action at the public hearing today. There is also a Technical Advisory Committee and further public discussions about this going on in the back drop. There were revisions to the July language and that was posted subsequent to the July language in August. That subsequent posting is common practice. There is nothing about the August notice that invalidates the July notice. The Board is fully

entitled to proceed with the public hearing today, acting as noticed by that July notice and the August notice has been provided to the public so they are aware of further discussions that have taken place.

Dr. Canavero invited Senator Roberson to provide details about the process and the regulation. Joining him is Brenda Erdoes, Chief Legislative Counsel and Risa Lang, Deputy Legislative Counsel.

Senator Roberson stated that A.B. 394, which was passed by the 2015 Legislature called for the establishment of an Advisory Committee to Develop a Plan to Reorganize the CCSD, consisting of nine legislators. He is the chair of that committee. The bill also created a Technical Advisory Committee to provide technical expertise, input, advice and assistance to the Advisory Committee. That Technical Committee was created and consisted of approximately 25 members including three legislators, five members representing the municipalities in Clark County, one member appointed by the Governor, one member appointed by State Board of Education, the president of the Board of Trustees of CCSD, one member who is also a Clark County Commissioner, one member representing the CCSD education association, three members representing various chambers of commerce, the superintendent of CCSD, one member representing the Nevada Parent Association and several other members of the community that he appointed as chair of the Advisory Committee.

The committees met a total of 18 times. During those 18 meetings members listened to testimony from various experts, stakeholders and the public and considered different options to address concerns that have been raised regarding the school district. During the initial meetings the organization management was examined along with the financial structure of the CCSD. Presentations were received concerning the financing of capital projects, equity, and a distribution of funding and budgeting in CCSD. The CFO of CCSD presented information concerning the financial structure and the superintendent walked everyone through the governance structure within the school district. It became clear that the new approach for the school district would need to include greater transparency and better communications between the schools and the central administration and between parents and the administration.

In addition to the two committees, A.B. 394 required the Advisory Committee to enter into a contract with the qualified independent consultant. In April, the Advisory Committee unanimously voted to hire a consultant to develop a plan to move the school district towards creating a system where schools have more autonomy to make decisions for the school. Similar to the empowerment school model that was piloted in the school district from 2006, until about 2011, the plan that was developed helped spring decision making closer to home, so that parents, teachers and administrators can work together to decide what is best for the children at their own school.

On July 1, 2016 the Advisory Committee unanimously approved the plan presented by the consultant to make nearly all public schools in Clark County local school precincts with local autonomy. In addition, the Advisory Committee approved the draft regulations that have been prepared by his legal staff. The Advisory Committee had requested the preparation of those draft regulations since the LCB attorneys would be called upon to draft regulations once the plan was approved. Having draft regulations before them also facilitated better communication regarding the intent of the Advisory Committee; in addition the regulations provided the public with greater opportunity to express concerns regarding the manner in which the plan would be carried out. The Advisory Committee reviewed and unanimously approved those proposed regulations with some revisions.

Following the meeting, the plan and draft regulations were transmitted to the NDE. The NDE officially requested the Legislative Counsel Bureau (LCB) to draft the regulation and R142-16 was prepared by LCB and returned to NDE. In accordance with A.B. 394, the Clark County Commissioners then held eight public meetings to discuss the plan and regulations even though the bill only required the commissioners to hold six meetings. The town hall meetings held by the commissioners took place in various locations throughout the county. They were also held in the evening so that more people could attend. During those meetings, a lot of the comment was received from the public and suggestions were brought forward to improve the plan and the regulations. On August 16, 2016, the Advisory Committee

held a meeting to again discuss the plan and proposed regulations. During the meeting, several changes to the plan and to the regulations were approved and specific recommendations of the Advisory Committee were incorporated into the plan.

All of the changes that were approved by the Advisory Committee were forwarded to the NDE for inclusion in a revised proposed regulation. Some additional revisions were also requested by this Board and included in the revised regulation. Contrary to what some may have heard, the state superintendent of public instruction and the members of this Board reviewed the plan, recommendations and regulations that were provided by the Advisory Committee. He met with many Board members to discuss concerns and their input into the regulations has been meaningful and important.

To summarize, the regulations the Board is considering today were developed to carry out the plan to reorganize the CCSD that was proposed by the consultant, Michael Strembitsky. The regulations were well vetted at the public meetings held by the Advisory Committee and the Clark County Commission. Changes were made in response to input that was received from stakeholders and the Board of Education. The regulations as presented were approved unanimously by the Advisory Committee and they carry out the intent of the Advisory Committee. This is not the end of the process. Additional regulations may need to be adopted later and revisions may need to be made to these regulations once they are implemented. It may be noticed that not everything that was included in the plan has been included in the regulations. The Advisory Committee intentionally left some flexibility in certain areas where it seemed appropriate for the school district to carry out through its own policies or where regulations may be more appropriate at a later time. The Advisory Committee presented the Board with initial language for the regulation that was unanimously approved by the Advisory Committee in a bipartisan vote.

This Board has authority to revise the regulations so long as any changes are necessary and appropriate to carry out the plan that was approved by the Advisory Committee. However, these regulations provide the frame work approved by the Advisory Committee. While the regulations do not provide complete autonomy to schools, they provide more decision making at the school level and a framework to build upon. Pursuant to chapter 233b of NRS, once approved by the Board the adopted regulations will be transmitted to LCB and presented at the next meeting of the Legislative Commission for approval. The regulations will then be filed with the Secretary of State at which time they will have the force and effect of law. Until that time A.B. 394 provides that the plan approved by the Advisory Committee may not be implemented, therefore it is critical to have these regulations adopted. On behalf of the Advisory Committee, Senator Roberson thanked the Board of Education's work with the Advisory Committee and for taking the time to carefully review the plan, recommendations, and the draft regulations that were forwarded by the Advisory Committee. The work of the Board and the NDE will help move CCSD in the right direction.

Member Newburn stated he is a graduate of CCSD, his children are graduates of CCSD and his grandchildren attend school in CCSD. The district has been part of his family's life for four generations. He watched every legislative committee meeting, attended multiple town halls and watched almost every Technical Advisory Committee (TAC) meeting. About a month ago he became involved in meetings with Senator Roberson. He noted there is generally a lot of confusion. The law does not ask the Board to approve the plan, they are not to stop the plan, and they are only to adopt the regulations. Also, there is a lot of confusion about regulations, once approved they can be changed in 30 days. He has received many comments about what is not in the plan, and what is not in the plan has created more fear. The intent is not for the regulations to cover everything, but to be a framework for the new delivery model. Then CCSD can come in and fill in the holes with new district policy.

Member Wakefield stated he has concerns about the financial model of the plan, the principal capability of the plan, the regulations concerning hiring teachers at the school precincts, the plan of operations and the composition of the organizational teams. .

Member Molisee said as a student in the CCSD, turning the school district into local precincts is going to hone in on focusing on student needs. The purpose of the CCSD is to create better people to send out into communities. Creating local precincts instead of generalizing it to one big school district and honing in on individual student needs and attention is very positive.

### **Public Comments on R142-16**

Amy Rose, ACLU of Nevada, stated they are pleased to see that the August 19, 2016, R142-16 added protection for civil rights enforcement. However, they have some procedural and substantive concerns:

- The Administrative Procedures Act has specific rules and regulations for how rules and regulations can be adopted. A problem is this regulation has only been available to the public for 12 days. They are supposed to be available for 30 days for the public to review before any action is taken. She urged not to adopt the regulations today because they possibly deny Nevadan's proper review.
- In addition they have some substantive concerns. One is the break-up of individual schools could possibly violate Title 7 of the civil rights act by promoting segregation. There are issues that the regulations do not address, who will be in charge of curriculum that is taught to the students, especially sex education.

Brian Miley, director, Public Education Foundation, addressed section 36 of R142-16, which tasks the board with determining whether additional credentials and or training is required for local precinct schools, and he offered a partnership with the Leadership Institute of Nevada. Five years ago they developed an innovative executive level leadership academy for principals and other leaders. Over the past five years they have delivered a program that is innovative in its curriculum and in its national all-star faculty. They would be honored to partner with the Board should it be determined that additional training and/or endorsements are required for principals at local precinct schools.

Jenn Blackhurst, Honoring Our Public Education (HOPE), stated their group supports many new legislative changes in Nevada's K-12 system and attends all of the town hall meetings. Their 108 HOPE members are enthusiastic about the proactive decision-making at individual schools based on student needs along with family community involvement and changing unsuccessful practices. However, there are still concerns that must be addressed. (See written comments– [Attachment 1](#))

Caryn Shea, HOPE, read comments into the record from Attachment 1

Julie Vigil, HOPE, read comments into the record from Attachment 1.

Annette Dawson Owens, Break Free CCSD, stated their group is 100 percent behind this plan and believe it is the right thing to do. With 20 public meetings, eight town halls and six community forums there were many opportunities to provide comment. However, they are concerned about how committed the CCSD school board is to a plan when they mischaracterized the process as flawed and passed many resolutions opposing the plan. They have heard rumors that members of the central administration office may not make a good faith effort to implement the plan due to their personal opposition.

Ruben Murillo, president, Nevada State Education Association (NSEA) spoke about his experience with empowerment schools. He applauded the efforts of the Advisory Committee and the legislators who worked hard on the Task Force. The NSEA appreciates that the commission heard their concerns about their support professionals and made adjustments.

Carolyn Goodman, mayor, Las Vegas, stated she is in support of the proposed regulation regarding the reorganization of the CCSD. She stated we need to fix what is broken rather spending dollars on multitudes of alternatives. The current structure is not working and has not been working, Involving local government officials who are accountable to tax payers, local citizens are heard and the schools are responsive to their concerns. The involvement of local officials ensures accountability to tax payers. It is

imperative to ensure that a new transparent easily discernable budget is created which details expenditures for individual schools and for the central office. The time to act is now.

Chris Giunchigliani stated she is speaking as an individual and that she is a special education middle school teacher from CCSD. She has attended as many meetings and town halls about the CCSD reorganization as possible. She added when people are scared or do not have the ability to understand the outcome of the regulations; there will be a fear factor. She has not heard from a single parent other than those that are concerned about when it is going to happen. If we are not careful the disparity will continue. Until the DSA is fixed, there will be continued disparity because the principals will not have the ability to hire the qualified people they need. They will need to spend money to maintain buildings and facilities. She said to slow it down and do it right. There is no reason this has to be implemented by 2017 other than it is an election issue. Kids should not be used as hostages. The reorganization is conceptually a good thing, but she urged caution in moving forward. Make sure it is methodical and done right for all the right reasons.

David Cherry, representing Andy Hafen, mayor, Henderson, read into the record comments prepared by Mayor Andy Hafen of Henderson, NV, (See [Attachment 2](#))

Adrianna Martinez, Outreach on Government Affairs, Educate Nevada Now (ENN) explained their group is present to discuss fair and authentic representation in the organizational team. They are concerned about recruiting parents in schools with no PTA or PTO. Ms. Martinez read comments into the record from Attachment 3.

Amanda Morgan, legal director, ENN, said ENN shares concerns regarding the process in which this regulation was promulgated, and issues about the amount of time these regulations have been available to the public. Ms. Morgan read comments into the record from [Attachment 3](#).

Sylvia Lazos, policy director, ENN recalled when the Empowerment study was conducted in Las Vegas, and a through empowerment evaluation was done by UNLV. Their conclusion was that empowerment does not automatically lead to better results. It is the people, principal, leadership, parents and the right teachers teaching the right curriculum in school that leads to better results. This Board has power to regulate and rethink, and unless those pieces align with the regulation and local governance there will be another reform that is not thought out. This may not be ready to implement. Ms. Lazos read comments into the record from Attachment 3

David Gomez, president, Nevada Peace Alliance said he is a parent of four children and supports the reorganization of CCSD for the sake of the children. He said not to reinvent the wheel, but instead retread it. He said his three year old daughter is showing she wants to learn, but fears she will receive the same teaching and education his son received. As a Latino and biracial parent he hopes the right thing is done.

Guerimo Vasquez, executive director, Education Support Employees Association (ESEA) said his association represents 11,579 support professionals. During the hearings and town hall meetings on S.B. 394, his organization stated many concerns about the plan to reorganize CCSD. Their priority has always been for the support staff to have a voice in the process of delivering quality services to CCSD and the students. They are parents and family members of thousands of students in the system and are the backbone of education invested in the community with an important role ensuring students succeed. They foster their children's education and make sure they are in a safe and healthy environment in school. He worked with Senator Roberson and Assemblyman Gardner and his leadership at ESEA is comfortable with the language and supports the process of moving forward as is. His union understands the purpose of the plan is to help students and do everything possible to improve the education delivery system in CCSD. Having a voice in the school organizational teams, he is confident and believes the community will see that they are vital to delivering services central to the system. ESEAs leadership supports the plan and looks forward to continue to education students.

Theo Small, vice president, Clark County Education Association, and teacher on leave of absence in CCSD, said as an organization representing all the teachers and licensed professionals in CCSD, he wants to clarify they embrace the language to go forward and believe they are the professionals to do this. They have implemented trainings about the new evaluation system, he participates in the Teacher and Leaders Council, is passionate about improving instruction at the classroom level, and they are partners working on culture and climate. The biggest concern is, will this really happen, will we train administrators, train teachers and support staff, and will we train parents. He is working with partners and entities in the community that work to improve the community. They are leaders of the profession. This work is about training and follow-up from the assistant superintendents supervising principals, and principals supervising teachers.

Tod Storey, executive director, ACLU of Nevada, said the Board heard from their legal director this morning about concerns in the process of this regulation. He noted regulatory language in section 26 speaks about exempting the organizational teams from the public open meeting law (OML). He said it is improper for a regulation to create an exemption to the statutory requirements of the OML. He urged the committee to not take action on section 26 specifically that would seek to exempt organizational teams at the school from the OML. Mr. Storey said the Nevada Administrative Code (NAC) specifies the regulation is supposed to be up for public consideration for 30 days. The regulations were posted August 19. Because of the public comment that occurred at previous meetings there were material modifications made and it is their belief the clock then starts for 30 days. It does not start on July 27. He encouraged the body to not to adopt the regulations as they are but to continue according to the NAC the way it is written now.

Terri Schuman, employee with CCSD, said she is support staff with CCSD. Change needs to begin by involving the CCSD support staff in this reorganization. The support staff has not been included and it is wrong, disrespectful, and they feel neglected.

Jose Solario said he agrees with Ms. Giunchigliani that the process to get this done by a certain date did not allow for public input. This is about empowering schools, and if all the schools cannot give input the purpose is being defeated. He supports delaying the regulation. Mr. Solario expressed concerns about funding. When more money is being spent at one school than another, it is not an equal education opportunity. How much money is being spent is not shared public information. White privileged schools are getting more money than the black and Latino inner city schools, and it is not fair.

Linda Young, president, Board of Trustees CCSD, read a segment of the Clark County School District Board statement, ([attachment 4](#)). She said there continues to be educational policy and legal issues and concerns as listed in the written document.

Chris Garvey, vice president, Board of Trustees, CCSD continued to read the CCSD Board statement into the record, ([attachment 4](#)).

Patric Two, Board of Trustees, CCSD also continued to read the CCSD Board statement into the record, ([attachment 4](#)).

Lindsey Dalley, chairman, Moapa Valley's Community Education Advisory Boards said the A.B.394 Task Force was formed to represent his community's concerns in this reform process. He stated the process has been public and open to the point that even a small community 60 miles away, with no stop lights, has been able to involve itself from the beginning. They have worked closely with Breakfree CCSD to coordinate their education concerns with the greater Las Vegas educational concerns. They fully support the plan having had a chance to be active in the development and feel they need to begin reform as soon as possible and not let children languish in a failed system. He asked for everyone's support to reform this process including the CCSD trustees. There was unanimous and bipartisan advisory

committee support of this plan. He and the community education advisory board parents have been trying to break through this current CCSD structure for 14 years. It is time for a change.

Steve Augspurger, ex-director, Clark County Association of School Administrators and Professional and Technical Employees, stated he believes A.B. 394 is the best thing that has happened to the CCSD. Anytime change and reform comes along, there will be those who attempt to convince that nothing is wrong with the public institute that is being impacted by the change. That has been heard today. Administrators, teachers and support staff say there are many things wrong that this bill will address. He said we need to hurry with this process. Principals are ready to fix this on the fly and we cannot afford to wait one more year. We need to do this now.

John Vellardita, executive director, Clark County Education Association, representing over 18,000 licensed professionals, stated this piece of legislation is the only piece of legislation that came out of the 2015 Legislative session that has been thoroughly vetted. There is not another law that went through a 120 day process, then had ten technical advisory committee meetings, eight advisory committee meetings, eight community meetings and countless discussions with stakeholders to build consensus. As it stands right now this is a piece of legislation that has many entities involved in it. There are challenges the way this regulation was presented and written, but the legislative community will monitor it for two more years. He said key to success is leadership and his group will partner with the principals and work with the school district to develop comprehensive high standards of training for leadership. These were not affluent neighborhoods, but the working poor. The regulation mandates that the organizational team and the principal do immediate outreach to every parent in the building to engage parents in direct involvement.

President Wynn concluded public comment on R142-16. She reminded the Board of their duty today. It is not to re-hash, re-write or re-do the plan. It is to make sure the regulations reflect what the plan is intended to accomplish. She noted there will be interest on the substantive items in part of the plan but in order to corral the discussion and bring it back to what the Board is charged with, the Board is not allowed to change the substance of the plan.

Ms. Erdoes noted that section 28 of A.B. 394 calls upon the State Board of Education to adopt regulations necessary and appropriate to effectuate the implementation of the proposed plan. The spectrum of regulations under 233b of NRS includes regulations that are adopted must have authority from the State Legislature to adopt. That spectrum is very broad. An agency is given the duty to adopt regulations on a specific area that the legislature has chosen to provide more details into a statute. This falls into that end of the spectrum, where the Legislature has chosen to be specific about what those regulations should be. The Board is allowed to adopt regulations necessary and appropriate to effectuate the implementation of the proposed plan.

Board members asked clarifying questions and discussion ensued.

Member Ortiz asked CCSD board of trustees to speak about their issues. Carolyn Edwards, trustee for CCSD, informed the Board that on August 11, 2016, the first set of regulations came out. There was an Advisory Committee on August 16. Staff from CCSD met with members of the committee to address their concerns, but they did not have a crosswalk developed yet. The regulations changed the morning of August 16, and their reactions to the August 11 regulations. She presented the crosswalk to the entire committee on August 16. Modifications were made to the regulation based on the crosswalk, but there were many parts of the crosswalk that they chose to not make changes to. They presented to the State Board the changes they think should still occur that were not acted upon on August 16. The regulations were changed again on August 19 late in the day. It was not possible for the Board of Trustees to have an opportunity to discuss their position because they did not have time to notice the meeting. They met on August 26 to have a discussion and the subsequent crosswalk was finished on August 30.

Dr. Canavero recommended that the Board adopt the language as written and reflected on the version R142-16, dated August 19, 2016.

Member Newburn said he heard many positive comments that will ultimately be included in the regulations. But the committee has asked the Board to give them regulations to kick-start this process. Once that starts, there will be further discussions, and comments designed to stop the process will be weeded out to focus on comments to make it better.

**Member Newburn moved to adopt R142-16. Member Holmes-Sutton seconded the motion.**

Member Hickey commented that there was not much of a voice from the North, which is understandable. As a former legislator, he said he was heartened to see the bipartisan support from legislators. He said he is impressed with the level of involvement of the community across the spectrum, and it is good news for Nevada.

President Wynn extended gratitude to Senator Roberson who championed this effort. It is a testimony to his leadership to have done this difficult work.

**The motion carried.**

The public hearing was closed at 4:31 P.M.

**Public Hearing and Possible Adoption of Proposed Amendments to R021-16; NAC Chapter 391 relating to educational personnel; revising provisions relating to the statewide performance evaluation system for the evaluation of teachers and building administrators.**

The hearing was opened at 4:32 P.M. There were 55 individuals present in Las Vegas, and 19 individuals present in Carson City.

Deputy Durish presented and discussed the four major categories of the regulation:

- the collection of the NDE educator effectiveness data,
- peer evaluators, the training, the requirement and the monitoring process,
- student outcome performance data
- clean-up sections, bringing NAC into alignment,

There was no public comment.

**Member Ortiz moved to adopt R021-16. Member Wakefield seconded the motion. The motion carried.**

The hearing closed at 4:46 p.m.

**Public Comment**

Dr. Kit Kotler, Silver State Charter School, read her prepared written comments into the record. See [Attachment 5](#).

Mary Beth Scow, Clark County Commissioner, said she testified at the Advisory Committee meeting about the section related to interviewing and hiring area superintendents, and having the local jurisdictions involved. She discussed with cohorts on the county commission that they would not want a part of that. She said they have politicized those appointments which could potentially lead to people lobbying a jurisdiction for educational positions and she does not think they have the expertise. She wants to make it clear that the county commission would have no interest in carrying that out or politicizing those positions

**Future Agenda Items**

Member Wakefield asked to revisit section 25 of the regulations that were just adopted particularly related to the parent teacher role this calendar year. He also requested a discussion about the general make-up of the Organizational Teams in the plan.

Member Ortiz noted there was an appointee from the State Board of Education on the TAC committee as part of the process. The person who was appointed resigned from the board, and she asked that another member be reappointed to the committee.

Member Hickey asked if it would be appropriate to have a board discussion about a ballot initiative he supports.

The meeting was adjourned at 5:00 P.M.